

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Thirteenth Judicial District Court, County of Yellowstone

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-09-020
-vs-	)	
	)	DECISION
ANTHONY JOHN SLEVIRA,	)	
	)	
Defendant.	)	

On September 23, 2016, the Defendant's suspended sentence was revoked and he was sentenced to the Department of Corrections for one (1) year and three hundred fourteen (314) days for the offense of Burglary, a felony, in violation of §45-6-204, MCA. In all other respects, the previous Orders, conditions, and restitution were re-imposed. The Court found that the Defendant was not entitled to receive credit for elapsed time while not incarcerated because of his failure to comply with the terms and conditions of the sentence while under supervision. The Defendant was granted credit for pre-trial detention time served from July 6, 2016 through July 11, 2016.

On February 2, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant was present and was represented by Brent Getty, of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 2<sup>nd</sup> day of February, 2017.

DATED this 8 day of March, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



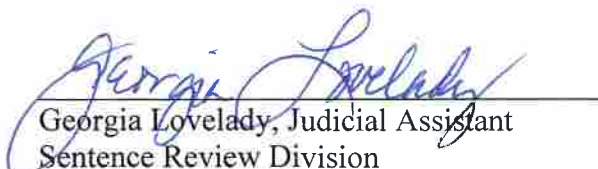
Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 9th day  
of March, 2017, to:

Clerk of District Court (Original)  
Anthony John Slevira #2155599, Defendant (2)  
Hon. Ingrid Gustafson  
Brent Getty, Defense Counsel  
Ed Zink, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division